

Remarks

New claim 60 is added herein. Support for new claim 60 can be found throughout the specification, specifically on page 40, and pages 45-50. Claim 5 is cancelled herein solely to reduce fees.

A replacement sequence listing is submitted in response to the interview on November 12, 2007. This sequence listing includes the nucleic acid sequence of the nucleic acid sequence of CpG 7909 as SEQ ID NO: 200. The specification is amended herein to refer to the appropriate sequence identifier for CpG 7909.

Applicants submit that no new matter has been added by this Amendment.

Interview Summary

Applicants thank Examiner Le for the helpful interview of November 21, 2007, wherein the sequence information for ODN7909 and the data presented in the specification was discussed. The Examiner requested the submission of another sequence listing and the following information.

CpG 7909

Attached as Exhibit A is a copy of the abstract for Drugs R.D. 7: 312-316. This abstract discloses that CpG 7909, also known as PF-3512676, was patented in 2001 (see U.S. Patent No. 6,207,646 and U.S. Patent No. 6,214,806, discussed in the last line of the abstract). For the Examiner's reference, also attached as Exhibit B are copies of ; (1) Cooper et al., Improved Hepatitis B Vaccine Response with CpG ODN 7909 Adjuvant, <http://www.pulsus.com/char/abs.abs120.htm>, CHAHR abstracts, 2001; (2) Davis et al., CpG ODN is safe and highly effective in humans as adjuvant to HBV vaccine: Preliminary results of Phase I trial with CpG ODN 7909, April, 2000; (3) Waag et al., Infect. Immun. 74: 1944-1988, 2006 (see the sequence on page 1944, first column); (4) Speiser et al., J. Clin. Invest. 115: 739-746, 2005, see the sequence on page 744, second column; (5) Link et al., J. Immunother. 29: 558-568, 2006; and (6) PCT publication No. WO 2007/08463A2, page 3, see lines 13-14. Thus, the nucleic acid sequence of ODN 7909 is well known in the art. All of these publications document that the nucleic acid sequence for ODN 7909 is TCGTCGTTTT GTCGTTTTGT GCTT and that this nucleic acid sequence is well known in the art.

Restriction Requirement and Request for a Follow-up Interview

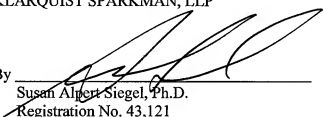
The Examiner is requested to contact the undersigned prior to substantive search and examination if any further information is required with regard to the substitute sequence listing or the amendments to the specification. Applicants would like the opportunity to discuss the restriction requirement and the election of ODN 7909 prior to substantive search and examination. This request is being submitted under MPEP § 713.01, which indicates that an interview will be arranged in advance by a written request.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By


Susan Albert Siegel, Ph.D.
Registration No. 43,121